

# CHAPTER 1

## INTRODUCTION

A critical social issue that is of great concern to many people is the relationship between the police and the community. Police misconduct is a serious issue that deeply impacts the trust and support the public will have in its police department. The Independent Police Auditor (IPA), in cooperation with the San José Police Department (SJPD), serves to assure the residents of San José that adequate mechanisms are in place to thoroughly investigate citizen complaints.

The Office of the Independent Police Auditor (IPA) was established in 1993 and, through a vote of the residents of San José, became a chartered office in 1996. The IPA's auditor model started a new trend for civilian oversight. The IPA has received national recognition for its innovative approach to civilian review of police practices. This office has served to mentor cities across the country looking to

implement civilian oversight of the citizen complaint process.

The success of the IPA is attributed to the working relationship it has developed between the police department and the police auditor's office. Both entities work independently but in a true spirit of cooperation. Over 90% of the police auditor's recommendations have been adopted and implemented by the San José Police Department.

The events of September 11, 2001, impacted our nation in many ways and in particular, raised our consciousness about threats to our personal safety and the safety of our cities from a type of threat we had not experienced. During 2001, the San José Police Department continued to make significant gains in approval and confidence in the community at large. There was greater police presence at various locations throughout our city; however,

citizen complaints did not increase, even in places with heavy police presence such as the airport. On the contrary, for a second year in a row, complaints declined by 30 %.

The IPA, in its eighth year, continues to strengthen the oversight process in what has become a systematic, impartial, and thorough review. Not only are the investigations examined, but also the manner in which services are provided to the residents of San José by the IPA and by the San José Police Department (SJPD). The City of San José is ranked as the safest large city in the country. In addition to safety, a mutual goal is to rank as the city that provides police services in the most courteous and professional manner.

### *FUNCTIONS OF THE IPA*

The IPA has three primary functions: (1) it serves as an alternate

office where people may file a complaint, (2) it monitors and audits the investigations of citizen complaints conducted by the SJPd; and (3) it promotes public awareness of a person's right to file a complaint. The IPA's primary objective is to provide independent civilian review of the citizen complaint process and to bring about change through the policy recommendations it makes.

### ***REPORTING REQUIREMENTS***

The IPA reports are prepared on an annual basis however, starting this year, the IPA will be required to prepare a midyear statistical report. This Year End Report covers the period from January first through December thirty-first of 2001. This is the fourteenth report prepared by the IPA pursuant to the requirements of the San José Municipal Code Section 2.06.020 (c). This section states that the IPA's report shall contain, but not limited to the following:

A. A statistical analysis

documenting the number of complaints by category, the number of complaints sustained, and the actions taken;

B. An analysis of trends and patterns; and

C. Specific recommendations for change.

### ***CONTENTS OF THIS REPORT***

Citizen contacts are reported this year by dividing them into serious and minor complaints, and into cases that are resolved without giving rise to a complaint. The handling from beginning to end of each type of complaint is thoroughly covered in this report. Two new areas were examined in this report: the Information Center, and Recruiting and Retention Policies. Public outreach and the expansion of the IPA into the neighborhoods are also reported. As in every IPA report, pending issues and recommendations are carried forward every year and the status of these recommendations is reported.